

REMARKS

Claim 1 has been amended to recite the limitations previously recited in claim 3, which has been canceled. Claim 4 has been amended to depend directly from claim 1 in view of the cancellation of claim 3. Therefore, claims 1, 2 and 4-16 are now pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 102(b) Rejection:

The Office Action rejected claims 1 and 14-16 under 35 U.S.C. § 102(b) as being anticipated over Kurnick et al. (U.S. Patent 5,571,726) (hereinafter, "Kurnick"). Although Applicants traverse this rejection with respect to claim 1, in order to expedite issuance of a patent, Applicants have amended claim 1 to recite the limitations previously recited in claim 3. The Examiner indicated that claim 3 would be allowable if rewritten in independent form including all of the limitations of the base claim. Applicants submit that claim 1, as amended, constitutes such an independent claim and is therefore allowable, as are claims 2, 4 and 5 depending from claim 1.

Applicants traverse the rejection with respect to claims 14-16, as Kurnick fails to teach or suggest all of the limitations of claim 14. Specifically, Kurnick fails to teach or suggest a serial communication system including an interface unit adapted for coupling to a transmission medium, wherein the interface unit is configured to receive a receive serial data stream including alternating portions of multiple serial data channels from the transmission medium and to provide the receive serial data stream; a timing recovery unit coupled to receive the receive serial data stream from the interface unit, wherein the timing recovery unit is configured to produce a clock signal derived from the receive serial data stream and to provide the receive serial data stream; and a serial communication controller coupled to receive the clock signal and the receive serial data stream, and to perform various functions with respect to the serial data stream as recited elsewhere within claim 14.

Kurnick does not disclose any aspect of a timing recovery unit configured to derive a clock signal from a receive serial data stream, as required by claim 14. Applicants remind the Examiner that anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. M.P.E.P 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As such, Kurnick cannot be said to anticipate claim 14. Therefore, Applicants submit that the rejection of claims 14-16 is unsupported by the cited art.

Section 103(a) Rejection:

The Office Action rejected claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Kurnick in view of Chiu (U.S. Patent 6,327,259). Applicants traverse this rejection. However, the amendment to claim 1 renders this rejection moot, so no further discussion of claim 2 is necessary.

Allowable Subject Matter:

Claims 6-13 are allowed.

Claims 3-5 were objected to as being dependent from a rejected base claim, but otherwise allowable if rewritten in independent form. As noted above, Applicants have amended claim 1 to recite the limitations of claim 3.

CONCLUSION


Applicants submit the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicants hereby petition for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5000-74400/RCK.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☐ Notice of Change of Address
- ☐ Other:

Respectfully submitted,



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